

Appl. No. : 09/137,198  
Filed : August 20, 1998

### REMARKS

Claims 1-19 are pending in the application and are presented for reconsideration and further examination in view of the foregoing amendments and the following remarks. Claims 1, 8 and 14 have been amended by the foregoing amendments.

The undersigned thanks Examiner Kumar for the courtesy extended during the telephonic interview conducted on March 12, 2003. During the interview, U.S. Patent No. 5,805,634 (Sumner) was discussed in view of proposed amendments to the independent claims. The substance of those discussions and the proposed amendments are set forth in this response.

#### Rejections under § 102

Each of the independent claims stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sumner. Applicant respectfully submits that the currently pending claims are patentable over Sumner.

Claim 1 has been amended to clarify that the mode selection circuit selectively activates the direct sequence spread spectrum portion when the transceiver is in a direct sequence spread spectrum transmission mode and that that transmission mode has a transmission data rate. In addition, the mode selection circuit can activate the frequency hopping spread spectrum transmission portion when the transceiver is in a frequency hopping spread spectrum transmission mode which has a data transmission rate that is greater than the first data rate.

That is unlike the teachings of Sumner. Sumner does not teach or suggest switching between a DSSS transmission mode with a first data rate and an FHSS transmission mode with a greater data rate.

Similarly, Claim 8 has been amended to clarify that the spread spectrum control signal system includes a switch which can couple the spreading code to the spreading code mixer in a first transmission mode with the first transmission rate and can couple the hopping sequence to the frequency generator in a second transmission mode with a transmission rate greater than the first transmission mode. Additionally, independent Claim 14 has been amended to define a mode selection switch which selects either the DSSS transmitter means to transmit the input signal as a DSSS signal with the first transmission rate or to select the FHSS transmitter means

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to transmit the input signal as a FHSS signal with the transmission rate greater than the first transmission rate.

In view of the foregoing, Applicant respectfully submits that independent Claims 1, 8 and 14 are patentable over the references of record.

Because each of the remaining claims depends directly or indirectly from independent Claims 1, 8 and 14 discussed above, Applicant respectfully submits that each of those claims are patentable for at least the reasons discussed above.

#### Conclusion

The Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the capacity of the claims to particularly and distinctly point out the invention to those of skill in the art. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

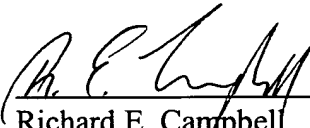
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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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